



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/830,462	04/27/2001	Sarah Bell	36-1444	8075

23117 7590 07/08/2005

NIXON & VANDERHYE, PC  
901 NORTH GLEBE ROAD, 11TH FLOOR  
ARLINGTON, VA 22203

EXAMINER

PATEL, ASHOKKUMAR B

ART UNIT PAPER NUMBER

2154

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

87

## Office Action Summary

Application No.

09/830,462

Applicant(s)

BELL ET AL.

Examiner

Ashok B. Patel

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-22 are subject to examination. Claim 6 has been cancelled.

***Response to Arguments***

2. Applicant's arguments with respect to claims 1-22 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 7-15 and 18-22 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith et al. (hereinafter Smith)(US 6, 088, 732).

**Referring to claim 1,**

The reference teaches a method of announcing a description of a media session, the method:

generating a session description comprising media oriented data necessary for a user to receive at least one media stream of a media session, said media oriented data identifying one or more application program components or requirements for one or more application programs or configurations of application program components necessary to participate in said media session; and, (Abstract, col. 11, line 6-24, Figs. 10a, 10b)

announcing the media session by making the session description available to potential recipients of the media session. (Abstract, col. 11, line 6-24)

Wherein said media oriented data necessary for a user to receive each media stream is generated in a one or more respective media modules within the session description; generating a base module comprising user oriented data relevant to the media session; providing a two-way link between the base module and the or each media module; announcing the media session by making the base module available to said potential recipients (col. 11, line 61-col. 12, line 11, col. 15, line 14-52);

wherein the link to the or each media module permits a user to access the or each media module subsequent to the base module. Col. 11, line 45-60)

**Referring to claim 2,**

The reference teaches a method according to claim 1 wherein said media oriented data prescribes a number of application program components to be used in order to build an application to participate in the media session. (col. 11, line 61-col. 12, line 6).

**Referring to claim 3,**

The reference teaches a method according to claim 2 wherein the media oriented data prescribes a manner in which the components are to be configured to build the application program. (col. 12, line 7-26)

**Referring to claim 7,**

The reference teaches a method of configuring a platform for receiving a media session said method:

receiving a session description of a media session, said session description comprising media oriented data necessary for a platform to receive at least one media stream of a media session, said media oriented data identifying one or more application program components or requirements for one or more application programs or configurations of application program components necessary to participate in said media session; (Abstract, col. 11, line 6-24, Figs. 10a, 10b)

processing said session description to determine an appropriate application program configuration from a list of available application programs or program components; (col. 15, line 14-52)

configuring a respective media session application program from said list of available programs for participation in said media session; wherein said media oriented data necessary for the platform to receive each media stream is generated in a one or more respective media modules within the session description (col. 11, line 44-60)

generating a base module comprising user oriented data relevant to the media session; providing a two-way link between the base module and the or each media module; announcing the media session by making the base module available to said potential recipients (col. 11, line 61-col. 12, line 11, col. 15, line 14-52);

wherein the link to the or each media module permits a user to access the or each media module subsequent to the base module.(col. 11, line 45-60)

**Referring to claims 8 and 9,**

The reference teaches a method according to claim 7 wherein said media oriented data prescribes a number of program components to be used, and wherein said step of

Art Unit: 2154

processing said session description comprises the step of selecting said prescribed components from said list, and a method according to claim 8 wherein the media oriented data prescribes a manner in which the components are to be configured, and the step of configuring said respective media session application program comprises the step of configuring said selected components according to said prescribed manner. (col. 11, line 61 through col. 12, line 26)

**Referring to claim 10,**

The reference teaches a method according to claim 7 further comprising the steps of receiving network data relating to characteristics of the network over which said media session is to be transmitted and wherein the respective media session application is configured according so said network data. (col. 10, Table 2, "Network connection Bandwidth ")

**Referring to claim 11,**

The reference teaches a method according to claims 7 further comprising the steps of receiving terminal data relating to characteristics of the terminal on which said media session is to be received and wherein the respective media session application is configured according so said terminal data. (col. 9, Table 1)

**Referring to claim 12,**

The reference teaches a method according to claim 10 wherein said network data or terminal data or both is monitored during the media session and the media session description is modified in response to changes to the monitored data. (col. 11, line 44-60).

Art Unit: 2154

**Referring to claim 13,**

The reference teaches a method according to claim 7 further comprising the steps of receiving user profile data relating to preferences of a user of the media session and wherein the respective media session application is configured according to said user profile data. (col. 10, Table 2, line 50-61)

**Referring to claims 14 and 15,**

The reference teaches a method according to claim 7 wherein the session description further comprises data defining a quality of service policy for receiving the media session and the respective media session application is configured according to said quality of service policy, and a method according to claim 7 wherein the session description further comprises data defining one or more remote services necessary for participation in said media session and the respective media session application is configured according to requirements of said one or more remote services. (col. 11, line 44-60, col. 12, line 27-62, col. 15, line 14-52)

**Referring to claim 18,**

The reference teaches a method according to claim 7 wherein the step of processing the session description comprises the step of parsing the session description using a terminal session control to determine an appropriate application program configuration from a list of available application programs or program components; selecting one or more media streams identified in the session description; and connecting the or each selected media stream to one or more application programs or components in said configuration by means of a session control configured for managing media stream

Art Unit: 2154

connections for the or each application program or component. (Figs. 10a, 10b, 13a, 13b, col. 15, line 14-52)

**Referring to claim 19,**

Claim 19 is a claim to a system that carries out the method steps of claim 1. Therefore claim 19 is rejected for the reasons set forth for claim 1.

**Referring to claim 20,**

Claim 20 is a claim to a system that carries out the method steps of claim 7. Therefore claim 20 is rejected for the reasons set forth for claim 7.

**Referring to claim 21,**

Claim 21 is a claim to a computer readable storage medium containing executable instructions for performing the method of claim 1. Therefore claim 21 is rejected for the reasons set forth for claim 1.

**Referring to claim 22,**

Claim 22 is a claim to a computer readable storage medium containing the system according to claim 19. Therefore claim 22 is rejected for the reasons set forth for claim 19.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the



invention was made to a person having ordinary skill in the art to which said subject matter pertains.  
Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 5, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (hereinafter Smith)(US 6, 088, 732).in view of W3C Extensible Markup Language (XML) 1.0 (hereinafter XML)

**Referring to claims 4 and 5,**

Keeping in mind the teachings of Smith, Smith specifically fails to teach a method according to claim 1 wherein the session description is generated using a structured data format, wherein the structured data format conforms to the format of Extensible mark-Up Language.

XML teaches the formation of structured data format in Extensible mark-Up Language. (page 1-39).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to use the teachings of XML in generating session description using the format Extensible mark-Up Language such that XML allows for self-description, i.e., allows description and structure of description in the same format and document. Use of XML also allows linking of collections of data by importing external document type definitions using description schemes. Additionally, XML is highly modular and extensible. XML provides a self-describing and extensible mechanism. Another major advantage of using XML is that it allows the descriptions to be self-describing, in the sense that they combine the description and the structure of the description in the same format and document.

**Referring to claims 16 and 17,**

Keeping in mind the teachings of Smith, Smith specifically fails to teach a method according to claim 7 at least the session description is generated using a structured data format, wherein the structured data format conforms to the format of Extensible mark-Up Language.

XML teaches the formation of structured data format in Extensible mark-Up Language. (page 1-39).

Therefore, it would have been obvious to one having ordinary skill in the art at the time of invention was made to use the teachings of XML in generating session description using the format Extensible mark-Up Language such that XML allows for self-description, i.e., allows description and structure of description in the same format and document. Use of XML also allows linking of collections of data by importing external document type definitions using description schemes. Additionally, XML is highly modular and extensible. XML provides a self-describing and extensible mechanism. Another major advantage of using XML is that it allows the descriptions to be self-describing, in the sense that they combine the description and the structure of the description in the same format and document.

***Conclusion***

**Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures

Art Unit: 2154

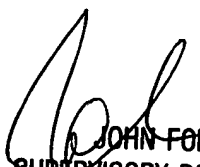
may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ashok B. Patel whose telephone number is (571) 272-3972. The examiner can normally be reached on 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abp  
\*\*\*

  
JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100